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Atty Docket No. 019916-004100US

PTO FAX NO.: (703) 872-9306

ATTENTION: Examiner SMITH, ZANDRA V.

Group Art Unit 2977

**OFFICIAL COMMUNICATION**  
**FOR THE PERSONAL ATTENTION OF**  
**EXAMINER SMITH, ZANDRA V.**

**CERTIFICATION OF FACSIMILE TRANSMISSION**

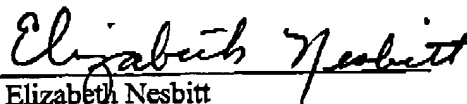
I hereby certify that the following documents in re Application of STEPHEN A. EMPEDOCLES et al., Application No. 09/827,256, filed April 5, 2001 for SPATIAL POSITIONING OF SPECTRALLY LABELED BEADS are being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Documents Attached

1. Transmittal Form
2. Amendment

Number of pages being transmitted, including this page: 12

Dated: February 16, 2005

  
Elizabeth Nesbitt

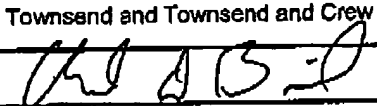
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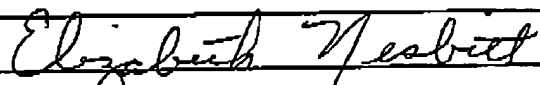
TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, CA 94111-3834  
Telephone: 650-326-2400  
Fax: 650-326-2422

60423266 v1

PTO/SB/21 (09-04)

<b>TRANSMITTAL FORM</b>  <small>(to be used for all correspondence after initial filing)</small>	Application Number	09/827,256
	Filing Date	April 5, 2001
	First Named Inventor	WATSON, ANDREW R.
	Art Unit	2977
	Examiner Name	SMITH, ZANDRA V.
	Attorney Docket Number	019916-004100US
Total Number of Pages in This Submission		11

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Townsend and Townsend and Crew LLP	
Signature		
Printed name	Mark D. Barrish	
Date	February 16, 2005	Reg. No. 36,443

CERTIFICATE OF TRANSMISSION/MAILING		
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By: Elizabeth Nesbitt  
Elizabeth Nesbitt

PATENT

Attorney Docket No.: 019916-004100US  
Client Ref. No.: 0010C-US

Customer No. 20350

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

STEPHEN A. EMPEDOCLES et al.

Application No.: 09/827,256

Filed: April 5, 2001

For: SPATIAL POSITIONING OF  
SPECTRALLY LABELED BEADS

Confirmation No. 4344

Examiner: SMITH, Zandra V.

T.C./Art Unit: 2876

AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed November 16, 2004, please enter the  
following amendments and remarks:

**Amendments to the Claims** are reflected in the listing of claims which begins on  
page 2 of this paper.

**Remarks/Arguments** begin on page 9 of this paper.